

Federal Communications Commission
Washington, D.C. 20554

In the matter of)	
)	
Thomas A. Brothers)	File Number EB-01-DT-523
Berkley, Michigan)	NAL/Acct. No. 200232360004
)	FRN: 0006-1077-26

FORFEITURE ORDER

Adopted: June 3, 2002**Released: June 6, 2002**

By the Chief, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of ten thousand dollars (\$10,000) to Thomas A. Brothers (“*Brothers*”) for willfully and repeatedly violating Section 301 of the Communications Act of 1934, as amended (“*Act*”).¹ The noted violation involves Brothers’s operation of an FM station on 88.3MHz without a Commission license.

2. By actions dated January 14, 2002, and January 28, 2002, the District Director of the Commission’s Detroit, Michigan Office issued a *Notice of Apparent Liability for Forfeiture* to Brothers for a forfeiture in the amount of ten thousand dollars (\$10,000) for the noted violation.² Brothers has not filed a response. Based on the information before us, we affirm the assessment of this forfeiture.

3. Accordingly, **IT IS ORDERED** that, pursuant to Section 503(b) of the Act,³ and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission’s Rules (“*Rules*”),⁴ Thomas A. Brothers **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of ten thousand dollars (\$10,000) for willfully and repeatedly violating Section 301 of the Act.

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules⁵ within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.⁶ Payment may be made by mailing a check or similar instrument, payable to the order of the Federal Communications Commission, to the Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note NAL/Acct. No. 20023260004 and FRN: 0006-1077-26.

¹ 47 U.S.C. § 301.

² *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200232360004 (Enf. Bur., Detroit Office, released January 14, 2002); *Erratum*, NAL/Acct. No. 200232360004 (Enf. Bur., Detroit Office, released January 28, 2002) (correcting the mistaken proposed forfeiture amount from \$11,000 to \$10,000, *i.e.*, the correct base forfeiture amount for operation of an unlicensed transmitter).

³ 47 U.S.C. § 503(b).

⁴ 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

⁵ 47 C.F.R. § 1.80.

⁶ 47 U.S.C. § 504(a).

Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.⁷

5. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by First Class and Certified Mail Return Receipt Requested to Thomas A. Brothers, 3845 Ellwood, Berkley, Michigan, 48072-3123.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau

⁷ See 47 C.F.R. § 1.1914.